

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IRVING MASON,	:	
	:	
Petitioner,	:	
	:	
-against-	:	<u>MEMORANDUM OPINION</u>
	:	<u>ORDER &</u>
UNITED STATES OF AMERICA	:	04 Civ. 2198 (JFK)
	:	S 17 96 CR 126 (JFK)
Respondent.	:	
-----	X	

JOHN F. KEENAN, United States District Judge:

Before the Court is incarcerated pro se petitioner Irving Mason's motion for reconsideration of the Court's order denying Mason's Rule 60(b)(4) motion and his request for the appointment of counsel. For the reasons set forth below, Mason's motion for reconsideration is denied.

The relevant background is discussed in the challenged opinion. Mason v. United States, No. 04 Civ. 2198, 2009 U.S. Dist. LEXIS 38915 (S.D.N.Y. May 6, 2009). Mason timely moved for reconsideration of that opinion on May 15, 2009.

Local Civil Rule 6.3 permits motions for reconsideration so that the parties may bring to the court's attention "matters or controlling opinions which counsel believes the court has overlooked." S.D.N.Y. R. 6.3. Rule 6.3 is strictly construed in order to spare the Court the time-wasting task of considering repetitive

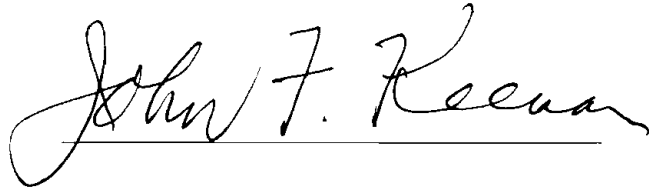
arguments on decided issues. See, e.g., Dietrich v. Bauer, 76 F. Supp. 2d 312, 327 (S.D.N.Y. 1999). The decision to deny a motion for reconsideration is at the court's discretion and will not be overturned on appeal absent a finding of abuse of that discretion. RMED Int'l, Inc. v. Sloan's Supermarkets, Inc., 207 F. Supp. 2d 292, 295 (S.D.N.Y. 2002).

Mason fails to cite any controlling decisions that the Court overlooked in rendering its earlier opinion. Therefore, his motion for reconsideration is denied.

SO ORDERED.

Dated: New York, New York

June 18, 2009

A handwritten signature in cursive script, reading "John F. Keenan", written in dark ink over a horizontal line.

JOHN F. KEENAN

United States District Judge